

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

EDWARD S. ADAMS,

Defendant.

17-cr-64-DWF-KMM

**STATEMENT OF FACTS  
IN SUPPORT OF  
EXCLUSION OF TIME  
UNDER SPEEDY TRIAL  
ACT**

Pursuant to 18 U.S.C. § 3161(h)(7)(A), I, Edward S. Adams, the defendant in this case, agree to the following statement of facts in support of the parties' Joint Motion to Continue Trial:

- As I noted in my previous motions to exclude time under the Speedy Trial Act, my counsel has filed significant motions related to the claims in the Indictment, as well as to the newly added claims in the Superseding Indictment, which was issued on December 20, 2017. These motions are substantive and complex.
- The Court held a two-day evidentiary hearing on January 8 and 9, 2018, regarding our motion to suppress. Thereafter, after additional disclosures by the government and briefing relating to privilege issues, on June 1 my counsel filed our Post-Hearing Brief in Support of Motion to Suppress [Docket No. 147] and Motion to Dismiss the Superseding Indictment, or in the Alternative for Disqualification, for Privilege Violations [Docket No. 141]. These briefs present evidence and argument related to what we believe was an unreasonable execution of a search warrant on my email accounts, in violation of my Fourth Amendment

rights. The briefs also present evidence and argument related to what we believe was the improper handling of my attorney-client privileged communications, in violation of my Fifth and Sixth Amendment rights.

- Recently, the government sought an extension of its deadlines to respond to our motions. The Court granted the government's request in part, finding that "the departure of a lead member of the prosecution team from the United States Attorney's Office has delayed the government's ability to prepare its responses to the pretrial motions," and extended the government's response deadline to July 23, 2018. [Docket No. 141.] In light of this extension, the motions will not be fully briefed until August 6, 2018. [*Id.*]
- The Court acknowledged that there may be additional litigation regarding my privilege designations, which will proceed on the same schedule as our pending motions. [*Id.*]
- Thus, given that these pending issues will not be fully briefed until August, my counsel and I believe (and the government has indicated it agrees) that trial should be continued until January 28, 2019 in order to provide sufficient time to prepare for trial in light of the resolution of these pending issues.
- The Court previously excluded the period from March 31, 2017 (the date of my original arraignment) through October 9, 2018 (the current trial date) from the Speedy Trial Act computations in this case. [Docket No. 108.]

Based on the above facts, I request that the period of time from October 9, 2018 (the current trial date) until January 28, 2019 (the date my counsel and I have proposed as our trial

date in this matter) be excluded from the time in which I would otherwise have to be brought to trial on my case.

I have discussed this matter with my attorney. I voluntarily make this request, with full knowledge of my rights under the Speedy Trial Act.

Dated: July 2, 2018

s/Edward S. Adams

Edward S. Adams, Defendant